

EX

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/766,367	FURST ET AL.	
	Examiner	Art Unit	
	Kimberly D. Nguyen	2876	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to communication filed December 12, 2005.
2.  The allowed claim(s) is/are 1-9, 11-15 and 17-20.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|--|

## **DETAILED ACTION**

### *Amendment*

1. Acknowledgement is made of Amendment filed December 12, 2005.

### *Allowable Subject Matter*

2. Claims 1-9, 11-15, and 17-20 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The best prior art of record fails to specifically teach a thin electronic chip card including an IC chip in a core film; a galvanic element as an energy store, which has at least one lithium-intercalating electrode and a thin, flexible housing comprising two metal foils, which bear directly against the electrodes and are connected to each other in a sealed manner with an adhesive or sealing layer, arranged in a recess in the core film; an elastic stress-compensating adhesive layer which adheres to metals and plastics coated over both sides of the core film and the element; and an overlay plastic film applied to each of the adhesive layers to firmly bond the core film and the element.

Mish (US 6,077,106) teaches a thin electronic chip card including an IC chip in a core film; a battery, which is an energy storage, arranged in a recess in the core film; and an overlay plastic film applied to firmly bond the core film and the element.

Davis teaches a curable, thermosetting adhesive composition for adhering/bonding/laminating articles suitable for printed circuit boards, rigid flex circuit boards or any other articles where good dielectric properties are desired wherein the adhesive composition includes the light curable compound, epoxy resin, thermoplastic polyurethane-based material and PVC (see column 2, line 24 though column 3, line 7; and column 8, lines 53+).

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However, Mish and Davis, taken alone or in combination thereof, fails to specifically teach a galvanic element as an energy store, which has at least one lithium-intercalating electrode and a thin, flexible housing comprising two metal foils, which bear directly against the electrodes and are connected to each other in a sealed manner with an adhesive or sealing layer, arranged in a recess in the core film; an elastic stress-compensating adhesive layer which adheres to metals and plastics coated over both sides of the core film and the element.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN  
February 8, 2006



THIEN M. LE  
PRIMARY EXAMINER